

ALPINE CITY COUNCIL MEETING
Alpine City Hall, 20 N. Main Alpine, UT
August 27, 2013

I. CALL MEETING TO ORDER: The meeting was called to order at 7:00 pm by Mayor Hunt Willoughby.

A. Roll Call: The following were present:

Mayor Hunt Willoughby

Council Members: Troy Stout, Will Jones, Bradley Reneer, Kimberly Bryant, Mel Clement

Staff: Rich Nelson, David Church, Shane Sorensen, Jannicke Brewer, Annette Scott, Joseph McRae

Others: David Barlow, Dana Barlow, Julie Yarbrough, Valerie Myers, Buddy Stoddard, Lee Devey, Susan Devey, Quayle Dutton, Curry Jones, Dawn Bagley, Darren Gooch, Breezy Anson, Kylar Jones, Leonard Wendel, Cathy Allred, Jeff Shumway, Shelly Shumway, Craig Skidmore, Tom Jenks, James Lawrence, Trish Walker

B. Prayer: Bradley Reneer

C. Pledge of Allegiance: Joseph McRae

Mayor Hunt Willoughby said Item D on the agenda, Motorized Vehicles in Lambert Park would be postponed until the Youth Council had an opportunity to be involved in the research and discussion.

II. PUBLIC COMMENT

Valerie Myers said she'd noticed they lost street lights at the roundabout every winter and wondered if the Council had thought about moving the lights toward the center. Shane Sorensen said they already had plans to move some of the lights.

Jeff and Shelly Shumway said they were 14-year residents of Alpine who were concerned about the recent flooding. They lived on Country Manor Circle and were flooded about 13 years ago by irrigation drainage. He said that at that time they looked the other way and cleaned it up themselves. But this weekend they came home from Lake Powell and their yard and driveway was full of mud. He said he appreciated the work the City had done to clear the mud but he felt the flooding was not due to the alluvial fan but due to negligence. He said they were concerned that things were not being fixed. He said he didn't know what was going on behind the scenes but they wanted to register their complaint. He said he felt the backhoe work should have been done a long time ago to prevent it from happening again.

Shelly Shumway said they were told 13 years ago that the ditch was going to be cleaned or blocked every April before spring runoff. She said the retention basin should have handled the flow if it had worked.

Shane Sorensen identified the Shumway property on the map and showed where the High Bench Ditch was located. He said the detention basin behind the Shumway home collected water from the street, not from the ditch. The two were not connected. The High Bench Ditch had the potential to empty into the storm drain on Preston Drive. To put the flood event into perspective, he showed 47 aerial photos of the areas taken by the County Sheriff Dept, and identified the numerous areas where mud had come down from the mountains accumulating up to six feet deep in places. He said it was not a small event, and they could still have a bigger event come out of the canyons. They were huge. He said it was really rocky and steep and because of the Quail Fire, there was nothing to stop the flow. He clarified that the debris basins did not fail. They filled up with mud and rock as planned, and were full. They needed to be cleared out before another event, which would cost about \$35,000.

Mrs. Shumway asked what the City's policy was in keeping the ditch clean. She said she was told that every spring someone walked the ditch and cleaned it out. Shane Sorensen said there was a concrete box on the ditch that kids like to dam during the summer months. They also built tree houses that dropped debris into the ditch.

Mel Clement asked if the Shumways could put a berm around their property. Shane Sorensen said the City always recommended that people with walkout basements have a berm to divert runoff. Mayor Willoughby noted that

berms needed to be a coordinated effort in a neighborhood, otherwise one person's berm was diverting runoff onto another person's yard.

Shane Sorensen said the staff had begun clearing the ditch then got criticism from nearby residents because they didn't want the vegetation cleared. He said clearing the material served two purposes. First, it opened a channel so the water could flow to the storm drain system. Second, the cleared material was thrown on the downhill side of the ditch to create more reservoir capacity if mud and rocks came down.

Mayor Willoughby said that after the work on clearing the ditch that was done on Sunday, they were in a much better situation than they had been. He said that it was a wake-up call to check the ditches more frequently.

Shane Sorensen said he would go to the Shumway's house the next day and see what could be done.

Buddy Stoddard said their home was at 542 N. Bald Mountain. He said that like the Shumways, he was concerned about the High Bench Ditch and the brush and debris that was in it. He said there was an Eagle project about a year ago where they cleared the ditch. He also worked with his landscaper and tried to get permission from the City to do things to protect his property but was put off. He said he had been proactive in protecting his property. After the fire, he bought flood insurance. He also took out scrub oak because he was concerned about fire but had since learned that if there was a fire coming down the mountain, it wouldn't do much good. However, he had worked with his landscaper, Lon Lott, to slope things away from his home which saved the home, but his lot was pretty much a disaster. He said he had called the City but had not been given permission to clean up the ditch. He had offered to use his own money. It was now a question of what to do next. He felt his property was depreciated and at risk. He said there wasn't a response from the City until after the disaster.

Will Jones asked if the area around Mr. Stoddard's property was done. Shane Sorensen said it was. Mr. Stoddard agreed and said he had a landscaping issue now. He said he felt things could have been done before to prevent the damage.

Shane Sorensen said he wasn't sure who Mr. Stoddard had talked to at the City but the ditch was in open space and there were issues when people wanted to alter open space. It was a sensitive balance.

Mr. Stoddard said he just wanted it to be on the record that the residents were not unaware of the hazards and he had put a lot of money into protecting his home. He felt that if it had been properly maintained, it wouldn't have been that bad. He repeated that he had purchased flood insurance after the fire.

Shane Sorensen said that this was the third flood event in six weeks. Preparation had handled the first two events quite well, but this last one was huge.

Mel Clement said he'd been up by the water tank with a geologist who pointed out the alluvial fan. That was where the mountains had been dumping material for years. The City had tried to be careful with development on the east side. He noted that there had been people from other places in Alpine who were not endangered that were up on the east side helping sandbag the area.

Penn Owens said the City was doing a fantastic job in maintaining Creekside Park and Alpine Days. However, he had a complaint about the noise that came from pavilions on the south side. People had parties with speakers and bands. There were races on Saturday morning with loudspeakers. There was no advance notice of the events. The second problem was the disconnect between the police department and the City. When he called the police, they told him the City could do what they wanted and if someone reserved a pavilion, they could do what they wanted until 11 pm. He said he didn't mind people in the park after dusk but he didn't think there should be amplified noise after dusk.

David Church said amplification was not allowed in the park without prior permission. That was already in the ordinance. Council indicated they had not been aware of that.

Lee Devey said he lived on 52 South 200 East and there was a mess in the yard next to him on 100 South. It was a giant junk yard and the neighborhood couldn't understand why nothing could be done about it. It was devaluing their property. The owner didn't even live there but all his junk was there.

David Church said it was the McClure property. Mr. Devey said that when Ken McClure built his building it didn't conform to the ordinance but all the neighbors signed an agreement that he could build it as long as there were no cars or equipment outside the building. Everything was to be kept inside. But it had spilled out everywhere and it was a mess. There were dead trees and raccoons and skunks living there. It had been that way for a long time and the neighbors would like something done about it.

III. CONSENT CALENDAR

A. Approve the minutes of July 23, 2013 and August 13, 2013

B. EWPP Payment Request - VanCon - \$59,185.83

MOTION: Kimberly moved to approve the Consent Calendar approving the minutes as amended, and the VanCon payment in the amount of \$59,185.83. Troy Stout seconded. Ayes: 5 Nays: 0. Motion passed unanimously.

IV. REPORTS AND PRESENTATIONS:

A. Alpine Days Review - Curry Jones: Mayor Willoughby said he thought it was a great event and he had a good time.

Curry Jones said the theme for Alpine Days was Moyle Park. A lot of citizens were not aware the park existed. Melanie and Dean Zimmerman were the Grand Marshals this year and they had put a lot of effort into the park over the years. Mr. Jones said there was a lot of hesitation about changing the traditional parade route and using the new park but it worked out very well. People had room to spread out. The police liked moving the congestion off Main Street and the roundabout. The feedback from the people was that they like having the events in Creekside Park so their recommendation was that they keep the new parade route and keep the events in Creekside Park in the future.

They added several new events. They added back the "Movie in the Park," which was a big success. The Pig Wrestling was a big success. People were already trying to get in for next year. He said the neighborhoods around the park were great to work with.

He said the total budget for Alpine Days spent \$32,000 and brought in \$16,000. He said the revenue was higher than what they brought in during previous years. He said the committee would recommend bringing back every event they did this year.

Troy Stout asked what happened to the mountain bike race. Curry Jones asked him if he would like to run it. The problem was there was no one who wanted to chair the race.

Bradley Reneer said Alpine Days was great. There had been reservations about changing the parade route and location, but after it was over those concerns were gone. Pig wrestling was a highlight. He said he'd heard concerns from volunteers who had formerly helped with Alpine Days but had stopped volunteering when the chairman was made a paid position. The feeling they voiced was that they were spending as much time on the event as the chairman, but they were not getting paid. It created some tension. Mr. Reneer said he had voted on the change to pay the chairman but he thought maybe it was easier to get volunteers if you were a volunteer yourself, and he proposed they go back to a volunteer chairman.

Kimberly Bryant said she went the rodeo and highly recommended it. It was a wonderful tradition that should be continued. There was not a more beautiful place to have a rodeo. Dana Beck did a great job running it.

Mel Clement said he was in Montana during Alpine Days.

Mayor Willoughby said one of the problems during Alpine Days was the breakfast, which was not well attended. The race was held at the old location because it had already been advertised there, and the breakfast was at the new

location. Next year the people at the run would be at the same location as the breakfast. Trish Walker said the advertised price for the breakfast was different from the actual cost. It was quite expensive and she felt that was why it was not well attended.

Troy Stout said he liked holding the event in Creekside Park. It gave people room to spread out. He loved the Pig Wrestling, but noticed it took traffic away from the vendors on the other side of the park. He felt they should extend the hours for the vendors.

Mayor Willoughby said he had spoken with Zenneth Chamberlain at the funeral of his wife Alta and one of the things he mentioned was how much it had meant to them and their family to be the Grand Marshals for Alpine Days.

Trish Walker, the co chairman for Alpine Days, said she'd had a lot of comments from people about how much they enjoyed the pioneer games and activities held in Moyle Park every Tuesday during summer months. Many people didn't know about them and she suggested it be noticed in the Newsline.

Mayor Willoughby said they had almost 40 people on the hike this year, ages ranging from 7 to 70. Most of them made it to the Lake Hardy. Some went as far as Second Hamongog, which they had intended to do.

Curry Jones said the Public Works Department were incredible to work with. Shane Sorensen said the Public Works Department (who were at the moment shoveling mud in the flood areas) had wanted him to pass on that Curry Jones had also been great to work with.

Mayor Willoughby noted another problem which was the end time of the rodeo and the start time of the fireworks. There was an overlap so people at the rodeo missed the fireworks.

Will Jones said the fireworks were the best they'd had.

Bradley Reneer asked if there was a way to restructure the dance. He had chaperoned it in the past and said he wouldn't feel bad if it was canceled because of the fights. Curry Jones said that in spite of problems, the last two years were the best years they'd had. They did, however, have to shut it down early after repeated warnings about fights.

Kimberly Bryant said she'd had a lot of requests to lower the price of the dance. Seven dollars was a lot for some families, especially if they had several kids who wanted to attend the dance. She said the Youth Council also felt it was too expensive.

Julie Yarbrough said she'd had doubts about the change of location for Alpine Days but she felt the new park worked out really well. However, she said she had a few issues. First, she felt the communication was lacking. One was the tee shirt sales. A friend did not think there were tee shirts for sale because they were not advertised in the Alpine Days guide. Ms. Yarbrough said she had a complaint about the vendor booths. Her family had been denied a permit for a booth; the email from the Alpine Days committee said they were denied because there were too many vendors with the same product. They got the notice a week and a half (July 31st) before Alpine Days and by then they had already gone ahead and brought product for their booth because they thought no news was good news and they'd been awarded a booth. She said the food booths that were permitted ran out of food by 1 pm. There was room for more food vendors. She listed the food vendors that were there and said that what she was selling was different from the other booths. There were three drink stands which were about the same thing and wondered why they had three of those. She said she was told that she was consistently late in turning in her application. She said she thought the deadline was June 1st and they turned it in before that, plus they saw signs advertising for food vendors after that. She said another problem she saw were the electrical boxes around the food booths with extension cords going to the different booths. They were not taped down, which was a safety issue. Last, she said there was no rodeo court. Kimberly Bryant said they were talking about going back to having a rodeo queen. Ms. Yarbrough said her final item was that this was her second year of complaining. Her philosophy was that you shouldn't complain unless you have a solution, so she was volunteering to help with Alpine Days next year.

Will Jones said he had to speak up. One of the things that was difficult was to see too many years of Alpine Days. One become more sensitive, and he was even more sensitive because his kids were involved. A couple of years ago

his kids were asked to take over the booths so they did. He said Mrs. Yarbrough's husband had a booth and he was a jerk. He had been one of the most difficult people to deal with. It started there. The second year, the Yarbroughs were late with their application. He said they had a reduced the number of vendors this year because the previous year there were too many booths, and they didn't sell the food. They had to refund money to some of the food booths last year because they didn't break even.

Mr. Jones read the ad for food vendors, which warned that vendors may not sell all their food and second that they would not accept duplicate booths. He said Mrs. Yarbrough's husband's complaint two years ago was that someone else's booth was too similar to his. But they had been no more close in nature than what she was talking about for this year. He said the two booths that were similar to the Yarbroughs were both from Alpine and the applications were turned in before her application.

Mayor Willoughby said they would consider the feedback and continue to make improvements in Alpine Days, and always appreciated volunteers.

Will Jones later apologized to the Yarbroughs for getting too personal and being rude.

Breezy Anson said he'd worked in Alpine Days enough to know that you weren't going to make everyone happy. He said a few years ago social media was talking about how lame Alpine Days was. He said the last two years social media blew up about how great Alpine Days was. He said he'd been in enough races to know that people who race for a hobby, run it like a hobby. People who are in it for the business, run it like a business. You get what you pay for. Volunteers are great but they don't run it as well. Kimberly Bryant said she disagreed. She said she ran Alpine Days 13 years ago as a volunteer and did a really good job. Breezy Anson he wasn't saying that volunteers did a slouchy job. But he'd been around enough people that ran it as a business that he saw a difference. He said he thought Curry Jones did a good job.

Kristen Eberting said she was the chair of the parade and she was on the phone begging people to be in the parade. She had 12 application on the parade deadline. She said it was not a perfect system and you just had to go with it. She said she thought Curry Jones did a good job.

Mayor Willoughby said the only complaint he'd heard about the parade was from his son, Hunter, and it was because the Council ran out of candy to toss out to spectators before they got to him.

Bradley Reneer said some of the main participants in the parade came from the wards, and he knew his stake got the word out to the wards about the parade after the deadline had passed. He said they should ask for applications sooner.

Troy Stout wondered if they should make the floats a competition among the wards. Kristen said she'd thought about that. They wouldn't be able to accommodate all the wards but maybe half the wards from each stake.

Mayor Willoughby said he also wanted to give kudos to the Senior Dinner. It was great.

Troy Stout said he grew up in Hurricane which had a Peach Days celebration with an aspect geared toward competition for agricultural products. He wondered about including something like that in Alpine Days.

In response to an earlier comment from someone about eliminating deadlines, Curry Jones said deadlines were necessary in order for Alpine Days to function. They could not get rid of deadlines.

V. ACTION AND DISCUSSION ITEMS

A: Canvass the Primary Election Results: Rich Nelson said the detailed results of the election were in their packets. There were about as many people who voted early and by absentee ballot as there were who voted on election day.

A total of 1212 votes were counted. Each candidate received the following:

Hunt Willoughby	434
Don N. Watkins	621
Kent Hastings	157

Hunt Willoughby and Don N. Watkins would be on the ballot for mayor in the General Election in November.

MOTION: Kimberly Bryant moved to accept results of the canvass and certify the election results. Will Jones seconded. Ayes: 5 Nays: 0. Motion passed unanimously.

Bradley Reneer noted that Kent Hastings had his whole family filling sandbags on Saturday in the aftermath of the flooding. He was still involved in serving the community.

B. Fort Creek Riverbottom Subdivision - Planned Residential Development Decision: Jason Bond said the proposed subdivision would be located north of Whitby Woodlands Drive and Main Street. It consisted of 21 lots on about 13 acres. It would be located in the CR-20,000 and TR-10,000 zones. Because there was some slope and Fort Creek ran through it, the developers requested it be developed as a PRD with private open space. The Planning Commission made a recommendation that it be a PRD. Jannicke Brewer said that a PRD would keep the creek in the open space so it would be easier to maintain than if the stream crossed building lots.

Bradley Reneer asked if a trail ran through the property. Jannicke Brewer said it did not. Mel Clement asked if the open space would be private. Jannicke Brewer said the decision on public or private open space would be made later.

Will Jones said he supported development as a PRD because of the stream. He recommended there be a LOMA (letter of map amendment) be done before the developers moved too far on it to make sure each lot contained enough ground outside the floodplain.

Troy Stout clarified that they were only voting on PRD status and not approving the open space as private. Jannicke Brewer said they would look at the open space designation at concept.

MOTION: Will Jones moved that the Fort Creek Riverbottom Subdivision should be a PRD. Bradley Reneer seconded. Ayes: 5 Nay: 0. Motion passed unanimously.

C. Lambert Park Open Space Foundation: Troy Stout said he had used Lambert Park a lot in past years and had hopes of protecting and expanding the park. Because of budget constraints, he felt it would be useful to establish a fund for people who wanted to donate to the possible expansion of Lambert Park.

Rich Nelson said donations for the park could be put into a restricted fund that was used only for Lambert Park. Or they could set up a foundation that had a board and was not under the control of the City Council.

Troy Stout said he would like to create a fund that was exclusive so there was no possibility of rolling it over into the General Fund.

David Church said that if the goal was truly to bind the future, the only way to accomplish it was to have an outside foundation. It would have an independent board that was eligible to receive contributions. The benefit of that was the board was independent of the City. Some people or entities that would not or could not donate to a city could donate to a foundation. The downside was that the City Council would not have control over it. It would be an independent entity that would work cooperatively with the City. The City would have some influence early on but eventually a foundation developed a life of its own. He said an example of a restricted fund Rich Nelson had talked about was the perpetual care cemetery fund. A future City Council could get rid of it. Mr. Church said another option would be targeted donations that were to be used for a specific purpose. If not used for the specific purpose, it would be given back. David Church said the downside of a foundation was that there was a lot of paperwork that needed to be filed with the IRS. It took a dedicated people outside the city to make it work.

Troy Stout said he didn't want to say there were too many negative and they didn't do anything. He would like to see if there was enough interest in the community to make this happen and sustain it.

Mel Clement asked David Church if he'd seen a foundation end up costing a city money. David Church said it was an independent group. An excellent example was the Alpine Arts Council. Jannicke Brewer said the Arts Council had been going on for 35 years or more but it was hard to keep it afloat.

Mayor Willoughby asked if there would be conflict because Lambert Park was owned by the City but being directed by an outside entity. David Church said the City would decide what would happen with their property. He used the example of a library that was city property but the board of the foundation was separate. They had to negotiate differences. He said the bylaws of the foundation could state that certain city members sit on the board.

Troy Stout said he felt there was enough personal interests in Alpine who would be willing to donate in the beginning. Maintaining long-term interest would be the challenge.

Rich Nelson recommended that if they wanted to set up a foundation, they not involve city staff. Restricted funding would be about the only plan that staff would be involved with.

Troy Stout said he would like to appoint a long-term committee that did have the interest in maintaining and preserving Lambert Park with at least one member from the Council.

David Church noted that Troy Stout could create a foundation without consent from the Council if he wanted to. If there really was the support, it would take off. It would be more successful than if the Council tried to do it.

When asked about the success of the Arts Council Foundation, Jannicke Brewer said it had been up and down. At times they had full interest, but it seemed to wane.

MOTION: Troy Stout said he would like to form an exploratory committee to look at the feasibility of Lambert Park Foundation with representation from the Council. Will Jones seconded. Ayes: 5 Nays: 0. Motion passed unanimously.

The members of the committee from the Council would be selected later.

D. No Motorized Vehicles in Lambert Park: This item was tabled so the Youth Council could be involved in the discussion.

E. Auto Repair Ban Enforcement Discussion: Rich Nelson said Council Members had requested a discussion about banning auto repair businesses in Alpine. In the current ordinance, they were specifically not permitted in the business commercial zone. They were not specifically addressed as a home occupation in the residential zone. There were several such businesses existing in Alpine. He asked what the Council wanted to do about it.

MOTION: Mel Clement moved to look at the General Plan and have auto repair businesses as an agenda item. Motion died for lack of a second.

Troy Stout said he understood the ban came as a result of clutter and too many cars parked on a lot.

Jannicke Brewer said that within her memory, there had always been a ban on auto repair in the business commercial zone, but that was only in the BC zone. It didn't say anything any other zone.

David Church said auto repair was not identified as a permitted use in the residential zone and the ordinance did state that unless a use was specifically permitted, it was prohibited. Jannicke Brewer said that within the home occupation ordinance, it did not permit or prohibit specific businesses. Mr. Church said that in the home occupation ordinance it stated that goods and services were to be incidental to the residential nature of the home. It was not supposed to be place where customers came. He felt that car repair was clearly a retail sale of a service.

Kimberly Bryant said the issue she had was the people who had one of those businesses, and had been running it for years. How did the City come in and shut it down?

Leonard Wendell said someone had come in 30 years ago with an auto repair shop and they were told not to do it. Kimberly Bryant questioned if it was against the ordinance 30 years ago. David Church said the existing repair shops had never been licensed and had never been considered a legal business. An illegal use could not be grandfathered.

Mel Clement said he had been involved in the construction of Jiffy Lubes, etc in shopping centers. There were stringent EPA requirements for the handling of oils, etc. There was no way these shops in Alpine were being regulated on the disposal of these materials. In other cities, car repair businesses had to comply with regulations. He said there were more issues than the clutter of parked autos. Regulation of contaminants was not happening in backyard shops.

Will Jones said that Leonard Wendell and other family members were there because it had been going on so long. The existence of other auto repair shops gave an expectation to James Lawrence and others. But he said the Council had an obligation to other families like the Wendells. He said his intent was to help both sides. He didn't want to pit the neighbors against each other. Mr. Jones said they needed to understand the ordinance and address it.

Mel Clement said cities put auto repair in a commercial area and then they had specific requirements that were enforced. The neighbors of auto repair shops were typically other businesses.

Nathan Terry said the business had been operating illegally for over 30 years. It had been started by his cousin who died a year ago. It was now being operated by someone else. It was no longer a home business. The business owner didn't even live there.

David Church said he had prosecuted Mr. Terry's cousin a few years ago. They wrote tickets and took him to court. He paid his fine and the judge lectured him but he continued to operate, saying it was a pre-existing use. The judge told him it couldn't be a grandfathered use if he was never a legal use. Mr. Church said the City needed to decide how aggressive they wanted to be. If this was a service the city needed, they needed to zone a place for them. The rationale earlier was that there was no other place in Alpine for car repair. Plus, the city took their cars there for repair. It was obviously needed and people used it. Mayor Willoughby said the fire truck was still taken there, and the he took his cars there for repair.

Bradley Reneer said he was looking at the General Plan survey that was done when it was last updated. The survey said 4% of the people got their auto repair done in Alpine. That wasn't a lot. Apparently the fire department also used the local auto repair. It seemed like there was some demand for it but it seemed like a commercial use. It was not appropriate in the residential zone.

Mayor Willoughby said they were talking about two separate issues. One issue was dealing with the existing auto repair businesses. The other issue was the question of what did they want in the General Plan and supporting ordinances?

Jannicke Brewer said the role of the Planning Commission was to work on amending ordinances. They planned to look at amending the home occupation ordinance relative to auto repair. As far as enforcing the ordinance, there was nothing the Planning Commission could do about that.

Tom Jenks said he wouldn't want to live where there was a lot of clutter and junk. He said that Mr. Wendell had lived next to the auto repair before Mr. Jenks took it over, and he would know that now there was a lot less junk. Mr. Jenks said that when he moved in, he cleaned it up. Recently Mr. Wendell had complained about the number of cars that were there. He said that was because cars were dropped off or he was waiting for parts. He said several of the neighbors around the shop brought their cars in for repair. Mr. Wendell was probably the only one who didn't. He said some of the vehicles that Mr. Wendell complained about were not part of the shop business. They belonged to the people that lived in the house. He said he put his oil and antifreeze in material that soaked it up then put it in barrels that were taken away and recycled. He said that even if they allowed auto repair in a commercial area, he couldn't afford that. This was the way he made his living and he tried to be a good Alpine neighbor. He said Kyle Terry tried a long time to get the City to approve an area where he could build a building and move his business into it.

Troy Stout said the basic question was whether or not it was allowed and if it wasn't, enforce the ordinance.

James Lawrence said he appreciated what Leonard Wendell had to say. He said they could put up a privacy fence so they couldn't see the cars to solve the problem. He said he had two cars at the back of his shop. He said a lot of issues were from the hobbyists that kept cars in their yard and didn't know what to do with the antifreeze so they dumped it down the drain. Repair shops knew how to handle it properly. He said he'd had multiple conversations with the Council about how to resolve the issues. He said he had hundreds of clients. Tom Jenks probably had thousands. He said he was open to any ideas and he could see both sides of the concern. He'd talked to other cities with the same problem.

Jannicke Brewer said she felt there was yet another problem. After hearing Tom Jenks speak, she said it appeared they were renting the space and it wasn't even a home occupation. She asked Mr. Lawrence if he lived where his shop was located. Mr. Lawrence said his in-laws went on a mission so he got stuck living in their home and rented out his home.

Mayor Willoughby asked Jannicke Brewer how long she felt it would take for the Planning Commission to come up with a draft ordinance. She said that after they got the needed input from the Council, it would probably take a month. They would need to hold a public hearing. He said he would like to get public input and allow the current uses to continue while they came up with the ordinance.

Will Jones said he thought that was a good suggestion. There were two things they needed to look at. One was the expansion of the business commercial zone to include the James Lawrence property which would allow him to continue if they allowed auto repair in the business commercial zone. Second, they give Tom Jenks an opportunity to relocate to a legal zone.

Bradley Reneer said there was obviously a demand for the service in Alpine and they needed a place in Alpine where it was legal.

James Lawrence said he had no heads-up on the meeting and it affected his livelihood. He felt it was someone's responsibility to contact him and be straight forward. He had been straight forward with the Council. He said he would like to be involved in the process. He had done a lot of research on the issue.

Mel Clement said he didn't see that the auto repair businesses were tied to a specific property. They had the skills and the tools. They could relocate to another place. It wasn't the end of the world. He said he didn't think the residents of Alpine were up to speed on this issue and they needed to be informed. They were talking about making an illegal activity, legal.

Mayor Willoughby said he didn't think it was right to take away someone's livelihood in one night. There was a process in place to make a decision in a public and open forum.

Mel Clement said he didn't think it was right to allow an illegal business to continue, and asked David Church for his opinion. Mr. Church said he didn't think the City would incur a damage claim. There could be an action to compel the City to enforce their ordinance. The City was obligated to enforce its ordinances, but there was some discretion in how they did that.

Jannicke Brewer said there were two parts. James Lawrence was currently licensed as a home occupation. The Planning Commission would first talk about possible amendments to the home occupation ordinance. The other part was the General Plan which would take longer to work out.

Rich Nelson said there were other issues. Mr. Lawrence had a home occupation in a home that he didn't live in. He said the reason the Council was discussing it was they needed to be fair and do what was best for Alpine, both the residents and the people with businesses.

Troy Stout suggested they have a 60-day moratorium while they decide what to do with auto repair shops. David Church said he thought that would be fair to the neighbors and the business owners. Kimberly Bryant clarified that

the businesses could continue working for 60 days while it went through the Planning Commission then back to the Council. She asked if there would be a place for businesses that had been operating for a long time? Troy Stout said that would be discussed. He couldn't say what the results would be.

Mel Clement said he would like to extend the process up to 90 days.

Leonard Wendell said the City already gone through this process in the 1970s. He didn't understand why they were doing it again.

Some unidentified woman said she had lived in her neighborhood for 65 years and had endured Kyle Terry's auto shop. The neighbors would go to the City and all they got was "poor Kyle." She said it was time for the City to do something.

MOTION: Troy Stout moved to have a moratorium up to 90 days on auto repair shops but the existing business could continue to operate while the Planning Commission and City Council worked on the ordinances. Kimberly Bryant seconded. Ayes: 4 Nays: 1. Troy Stout, Kimberly Bryant, Bradley Reneer and Mel Clement voted aye. Will Jones voted nay. Motion passed.

Jason Bond said they didn't have enough time to post a public hearing notice on auto repair before the next Planning Commission meeting so it would be on the agenda for September 17, 2013.

F. Farmers Market Discussion: Troy Stout said he had spoken with Kimberly Bryant several times about having a farmers market in Alpine. It was very nice community event. They usually started about 7 am and ended around 11am. It was a kind of cozy, hometown event where residents could share produce and handmade goods and mingle with the neighbors. He felt the park next to City Hall would be the best location.

Jannicke Brewer said they were nice but she didn't think the City wanted to be in charge. Rich Nelson said usually the Chamber of Commerce was in charge but Alpine didn't have one.

Troy Stout said he wanted to keep the traffic low but wanted it to be successful. One of the rules would be that the crafts had to locally made. It would be a good opportunity for youth to make money who wanted to raise their own gardens and sell the produce. It would encourage enterprise on a local level. Perhaps some local talent could perform at the market - non amplified. He thought they could start with four to six weekends in late summer starting when the harvest was beginning. He said it would probably be run by committee. He wanted to have two representatives from the Council, three representatives from the community, and one representative from staff.

Someone in the audience said she would like to be involved in it. She had also been involved in Alpine Days. She said she would like to have the Arts Council involved as well, and local music. Troy Stout said he had talked to some vendors from Alpine Days that really liked the idea.

Mayor Willoughby said he envisioned a farmers market that was carried out the same way they did with football, soccer, etc. The City provided the venue and got out of the way. He said the City did not have the staff to do it. If somebody wanted to take it over and be responsible, the City could provide the space and the power, but as far as being on the committee, they didn't have the manpower to do it.

Rich Nelson said it would be cool to have a farmers market but please don't take staff. They were already short-handed. He said if the Council wanted to raise funds and hire someone to run it that might be different.

Kimberly Bryant agreed that the City had a lean staff saying she'd watched the City lose people and not replace them. She said she would be willing to help with the farmers markets as a citizen, not as a council member. She said she didn't think they needed to hire someone. They could just do it.

Troy Stout said he would just like to have someone there from the City to make sure what they were doing was acceptable.

Kimberly Bryant said they did need the blessing of the City as far as location, etc. Mayor Willoughby said they should bring a plan to the Council to look at. He also recommended Troy Stout have a write-up for the webpage and the Newslane and see what kind of community interest there was.

Bradley Reneer said they had a list of the businesses in the City and this might be an avenue to create a chamber of commerce. He asked if they were trying to get people from out of town. Troy Stout said it would be local. There might be some from Highland.

Rich Nelson said it was nice to try and keep it small, but as they found out this summer with social media and Sliding Rock, that could change.

G. Flower Baskets of Main Street Discussion: This item was moved to a later agenda.

H. Waste Disposal System Discussion: Mel Clement said that apparently they hadn't done the best job in getting people to switch from taking their trash from North Pointe to Dunn's. He said he was hearing that the people who unknowingly went to North Pointe were being treated quite rudely. He would like to get the word out that people needed to take their trash to Dunn's. He said another point was that residents were finding that there was a cost to leave particular items such as mattresses, tires, etc. He suggested they have a list of items that had an extra charge. If there could be an article in the Newslane that devoted more space to the subject, people might be better informed.

Rich Nelson said Alpine residents had to pay double at North Pointe if they went there. Mr. Clement said he had thought about creating a billboard across from North Pointe telling Alpiners to go to Dunn's. He asked Dawn Beagley if they'd had that issue with other cities going to North Pointe. She said North Pointe was upset about losing the contract with Alpine. However, Alpine was saving the citizens a lot of money by switching to Dunn's. She said the trash they picked up in Alpine was going directly to IRL. She added that Dunn's was open on Saturday.

Rich Nelson said they would work on getting the word out to people.

Will Jones said a problem was that people couldn't remember when they were supposed to put out their recycling can. Mel Clement asked if a plastic schedule could be taped to the can. Kimberly Bryant said they did stickers once on the recycle cans. Will Jones said it would be helpful if they could put something simple on the can that indicated the week they put it out. Dawn Beagley said she would look into it.

Dawn Beagley said ACE was in Alpine on August 3rd with free shredding and electronic recycling. Not too many people showed up but those who did appreciated it. She said she would like to change it from Burgess Park and have it by City Hall. She said they would put signs up the week before and try to get everyone involved. She said they did it once a year. She said about half of Alpine was recycling and wondered if they would go to city-wide recycling. Green waste pickup was still an option. Ms. Beagley, on a different note, said she had attended the Alpine Days Rodeo and it was great. She said ACE enjoyed working with Alpine and to never hesitate to call them.

I. Pressurized Irrigation System Presentation: Shane Sorensen said that before 2002 their water sources were Grove Spring and five wells. The City had been selling all the water they could produce and was just barely making it. The implementation of the PI system allowed the City to use their shares in the Alpine Irrigation. The City signed an agreement with Alpine Irrigation and developed the PI system in 2002. Almost all the City was served. There were higher areas where it would not make economic sense to pump water to them which were Box Elder subdivision and places in the Willow Canyon subdivision. There were three PI reservoirs which were the one by the rodeo grounds (3 million gallons), the one by the LDS Stake Center (1.5 million gallons), and in 2008 they converted the Lambert tank (2 million gallons) from culinary to PI. It gave them plenty of fire flow to serve the city. The PI sources from surface water were Dry Creek, Fort Creek and Box Elder Spring. Five of the City's eight wells were connected to the PI system. He said the reservoirs were for regulating pressure only. They were not for storage. They emptied and filled every 24 hours, but sometimes they did not fill within 24 hours. All the water was being consumed so it was not filling the tank. Wells were pumped to fill the reservoirs.

Mr. Sorensen said the operation totally varied from year to year and from spring to fall depending on the source of water. The City had experienced possibly two years when they didn't have to pump well water into the PI system.

During spring and early summer, they primarily used surface water. Later in the summer they had to pump the wells. Since most of the wells were in the lower zones, they had to pump the water back up into the higher zones. The possibility of drilling a well higher up was discussed. Will Jones said he had drilled four wells in Alpine Cove and three of them came up dry. Shane Sorensen said the Busch well wasn't very reliable. It was sandy and sometimes it came up dry.

He showed a map of the different pressure zones and lines. It showed how water moved from one zone to another. Their biggest well had a 600 hp motor on it and it cost \$3,000 just to turn it on, plus the cost of pumping. Mel Clement asked how much it cost to pump water into the PI system. Mr. Sorensen said he didn't have the numbers for this year but the previous year it was \$200,000. During the highest month it was \$50,000. He guessed they were at about the same amount as the previous year. Mel Clement asked if they were moving toward metering the PI usage. Shane Sorensen said they had talked about it when they first installed the PI system but there wasn't an adequate meter available at the time. Rich Nelson said that as a City Administrator he would opt to meter the water because people didn't conserve unless they had to pay for it.

Shane Sorensen said they generally pumped 4 of the 5 wells during the summer. Putting the 5th well online didn't necessarily increase the amount of water because the wells were in the same zone and having them all pumping at the same time actually decreased the available water.

Since the PI system was installed, they had drilled two wells and equipped them, put in the Fort Creek pump and filter and filter building. In 2008 they converted the Lambert tank for PI use. Besides the cost of the main system, they spent 2.1 million dollars on improvements. The tools they had were the SCADA System which remotely monitored the reservoir level and flows and key sites. Prior to that Jay Healey had to drive around all day and check all the wells. He said the SCADA system was due to be upgraded and was in the budget. Future PI system improvements were continued water conservation, one or more additional reservoirs to help with peak demand issues. They were also looking at an additional well and CUP water, aquifer storage and recovery. He said Alpine was in a primary recharge area so that was a good position. He said the demand on the system was a lot higher than they had expected so it dropped the pressure. They were considering a new line from north to south to alleviate the problem.

Shane Sorensen said there had been questions about whether or not the City really needed to restrict watering. He said because of the low snow pack and high temperature, they felt restrictions were definitely needed. It would be difficult to get through the year without them. Agriculture users also had restrictions.

Bradley Reneer asked if the agricultural users didn't have their own shares and could use them without restriction. Shane Sorensen said that was part of the Agreement that Alpine City worked out with the Irrigation Company when PI was first put in place. One of the main concerns of the shareholders was that they wouldn't be able to get enough water. David Church said the largest amount of surface water was owned by the Alpine Irrigation Company. When there was not enough water to satisfy everyone, everyone's water was diminished. The shareholders agreed to a decrease of 50% when there was not enough water. David Church said that pumping the wells into the system had actually benefitted the agricultural users because in dry years they had access to well water.

Mel Clement asked if they were getting enough impact fees to offset the cost of the improvements. Shane Sorensen said there were. Rich Nelson said they had been managing what they were doing really well.

Troy Stout asked if enough of the residents Citywide complied with the restrictions to make a difference. Shane Sorensen said there were a lot who did. Some were tagged and had their water shut off and had to pay a fine.

Will Jones asked if it would help to put in a reservoir up Fort Canyon. David Church said they would want to weigh the benefits of that carefully. It could create other issues. Mr. Jones also asked if the amount of revenue from Box Elder was equal to the cost of pumping water up to them. Shane Sorensen said they had done studies and they were covering it but they would look at it with the next study.

The Council discussed the compliance of citizens with the restrictions.

Mayor Willoughby thanked Shane Sorensen for the presentation and for keeping the City supplied with water.

Will Jones disclosed that he had a conflict of interest on the next agenda item. He was a partial owner in the annexation request and would not participate in the discussion.

J. Keystone Annexation Request - Will Jones: The annexation petition was for 4.71 acres located in the Grove Drive area. David Church said the City Council could accept the petition to begin the annexation process. It did not approve the annexation, it simply meant it could begin to move through the process. If the Council had no interest in it they could reject it at this point. Mr. Church reviewed the process which was to certify the petition for proper signatures and contiguity to the City. A notice was then sent out to begin a 30 day protest period, after which the City Council held a public hearing and would vote on whether or not to approve the annexation.

MOTION: Kimberly Bryant moved to accept the Keystone Annexation petition. Troy Stout seconded. Ayes: 4 Nays: 0. Kimberly Bryant, Mel Clement, Troy Stout and Bradley Reneer voted aye. Will Jones abstained. Motion passed.

VI. STAFF REPORTS

Rich Nelson

- He said they were looking at different ways of dealing with soccer. They were considering a two or three city program where another city administered it. They were looking at a new sports contract. They had been receiving a lot of heat from different groups about soccer.
- They had an informal discussion on Three Falls about major issues, trying to come to an understanding among the major parties.

Shane Sorensen

- He reported on the flood. He had photos sent to him by the County Sheriff which he would forward to the Council. The basins and head gates were dug out. They had done a lot of work on the ditches so they would convey water and act as another reservoir for mud.
- He responded to questions from the Council about how fast the flood comes down the canyon (about 15-30 minutes), the odds of a worse flood next spring (hard to predict).

Jason Bond

- They had been receiving site plans for detached garages that indicated the potential for an accessory apartment but were shown as a storage or a bonus room, etc. He said they were going to disallow sewer and water to detached garages which might prevent them from turning them into illegal accessory apartments.

Annette Scott

- Regarding water restriction violations, she said people said they never got the first notice, but they seemed to get the second one that involved a fine.

VII. COUNCIL COMMUNICATION

Troy Stout

- He said he wanted to know how much time Jason Bond spent on code enforcement. He said he got a lot of complaints about code violations and he felt they could be more proactive.

David Church said there were two or three big issues (the illegal auto repair shops and McClure's junk) that were beyond the code enforcement officer and were with the prosecutor. In some cases they had been prosecuted before. He said there was actually a lot of code enforcement going on. The violations the Council heard about involved people who refused to comply when they were cited or people who had not been reported to the City because the people didn't want their neighbors to be mad at them. It was clarified the Jason Bond was hired as the city planner and as the code enforcement officer.

Will Jones

- He said he wanted to thank the Public Works Department for their work on the flooding. He was up there with them on Thursday, Friday, Saturday and Sunday. Mayor Willoughby added a thanks to fire and police departments, Jason Bond, the forest service, and the communication service of the LDS Church. He said that even former residents of Alpine showed up to help.

Bradley Reneer

- He said he had a great time shoveling mud. He worked with Wayne Patterson and Kent Hastings and dozens of others.
- He said the rodeo signs were still up and wondered when they would be taken down.
- He asked if they could get Mark Walker Smith's photo of the Alpine Mountains for City Hall.

Mel Clement

- He asked if something was going to be done about the rusted railing outside City Hall. Rich Nelson said that was on the list of repairs/improvements that were going to be made, including the front door.

MOTION: Kimberly Bryant moved to adjourn. Will Jones seconded. Ayes: 5 Nays: 0. Motion passed unanimously.

VIII. EXECUTIVE SESSION: None held

The meeting was adjourned at 11:55 pm.